



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**OCT 19 2015**

Peter W. Osborne  
New York Division Administrator  
Federal Highway Administration  
Leo W. O'Brien Federal Building  
11A Clinton Avenue, Suite 719  
Albany, New York 12207

Dear Mr. Osborne:

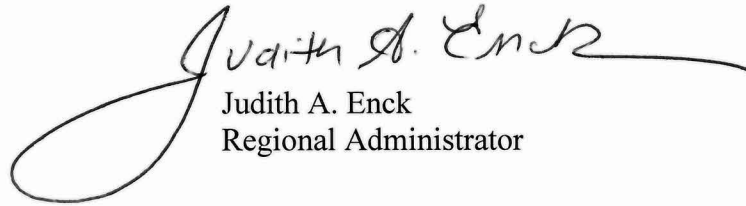
The U.S. Environmental Protection Agency has reviewed the Federal Highway Administration's Tier 1 Cross Harbor Freight Program Final Environmental Impact Statement (FEIS) (CEQ# 20150269). The Port Authority of New York and New Jersey (Port Authority) is the project proponent. The purpose of the Cross Harbor Freight Program (CHFP) is to improve the movement of freight across New York Harbor between the east-of-Hudson and west-of Hudson regions. This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat. 1709), and the National Environmental Policy Act (NEPA).

In the Tier 1 FEIS, the Federal Highway Administration (FHWA) and the Port Authority, after public comment and agency consultation, identified two preferred alternatives – the Enhanced Railcar Float Alternative and the Rail Tunnel Alternative. EPA notes that while the Rail Tunnel Alternatives were rated EC-2 in the Draft Environmental Impact Statement (DEIS), the environmental analysis and information we requested will be presented in a subsequent Tier 2 NEPA document. The FEIS responded adequately to EPA's other technical comments.

Given that both of the preferred alternatives consist of improved east-west rail connections, the CHFP presents the opportunity to reduce the reliance on trucks for goods movement across the harbor. This important investment has the potential to improve air quality and reduce traffic congestion in significant portions of the metropolitan area, notably in communities near key roadways, bridges and tunnels. Even with these broad-scale benefits, it remains important to identify and, to the extent practicable, mitigate impacts to communities that would host CHFP facilities.

Thank you for the opportunity to comment on the CHFP Tier 1 Final Environmental Impact Statement. EPA looks forward to working with the Federal Highway Administration on the subsequent NEPA documentation. If you have any questions, please contact Lingard Knutson, Environmental Scientist at (212) 637-3747 or [knutson.lingard@epa.gov](mailto:knutson.lingard@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Judith A. Enck", with a large, stylized loop at the beginning and a long horizontal stroke extending to the right.

Judith A. Enck  
Regional Administrator